

**I IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SOUTHWEST AIRLINES CO.,

Plaintiff,

v.

KIWI.COM, INC. and

KIWI.COM S.R.O.,

Defendants.

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Case No. 3:21-cv-00098

**APPENDIX IN SUPPORT OF PLAINTIFF SOUTHWEST AIRLINES CO.'S
MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff Southwest Airlines Co. files this Appendix in Support of Its Motion for Preliminary Injunction.

Exhibit	Description	Appendix Pages
A	Hursh Declaration	Appx. 1-29
A-1	J.D. Power Press Release dated May 27, 2020	Appx. 30-34
A-2	Southwest Website Listing Awards available at https://www.swamedia.com/pages/awards-and-recognition	Appx. 35-38
A-3	Southwest Website Terms & Conditions available at https://www.southwest.com/html/about-southwest/terms-and-conditions/	Appx. 39-44
A-4	Kiwi Website available at https://www.kiwi.com/us/pages/content/about	Appx. 45-51
A-5	Kiwi Website available at https://www.kiwi.com/us/pages/content/company	Appx. 52-61
A-6	Southwest Cease and Desist Notice dated Dec. 11, 2020	Appx. 62-77
A-7	Southwest Cease and Desist Notice dated Aug. 28, 2019	Appx. 78-81
A-8	Kiwi Email dated Sept. 11, 2019	Appx. 82-83
A-9	Kiwi Email and Attachment dated July 14, 2020.	Appx. 84-87
B	Buckley Declaration	Appx. 88-103

Exhibit	Description	Appendix Pages
B-1	Southwest Records of Complaints and Inquiries Regarding Flights Booked by Kiwi	Appx. 104-168
C	Andorf Declaration	Appx. 169-172
C-1	Southwest PNR Records Aug. 1, 2020 to Jan. 13, 2021 with Email Domain @airline.kiwi.com	Appx. 173-331
C-2	Southwest PNR Records Aug. 1, 2020 to Jan. 13, 2021 with Email Domain @kachipytel.com	Appx. 332-372
C-3	Southwest PNR Records Jan. 14, 2021 to Feb. 18, 2021 with Email Domain @airline.kiwi.com	Appx. 373-384
C-4	Southwest PNR Records Jan. 14, 2021 to Feb. 18, 2021 with Email Domain @kachipytel.com	Appx. 385-412
C-5	Southwest PNR Records for Upcoming Southwest Flights with Email Domain @airline.kiwi.com or @kachipytel.com	Appx. 413-428
D	Obrenic Declaration	Appx. 429-438
D-1	Southwest Ground Operating Manual Excerpts	Appx. 439-447
D-2	Dec. 24, 2020 Email	Appx. 448-451
D-3	Jan. 1, 2021 Email at 10:20 AM	Appx. 452-454
D-4	Jan. 2021 PNR Notes	Appx. 455-459
D-5	Feb. 2, 2021 Email at 8:58 PM	Appx. 460-461
D-6	Feb. 2, 2021 Email at 7:01 PM	Appx. 462-467
D-7	Feb. 17, 2021 Email	Appx. 468-469
D-8	Feb. 2, 2021 Email at 2:51 PM	Appx. 470-471
D-9	Feb. 16, 2021 Email	Appx. 472-473
D-10	Jan. 1, 2021 Email at 10:38 AM	Appx. 474-476
D-11	Jan. 1, 2021 Delay Report	Appx. 477-479
D-12	Jan. 28, 2021 Delay Report	Appx. 480-482
D-13	Feb. 8, 2021 Email	Appx. 483-484
D-14	Feb. 15, 2021 Email	Appx. 485-486
D-15	Jan. 1, 2021 Email at 10:44 AM	Appx. 487-489

Exhibit	Description	Appendix Pages
D-16	Jan. 11, 2021 Email	Appx. 490-491
D-17	Jan. 28, 2021 Email	Appx. 492-493
E	Dunwoody Declaration	Appx. 494-496
E-1	Better Business Bureau Webpage on Kiwi.com available at https://www.bbb.org/us/fl/miami/profile/travel-agency/kiwicom-inc-0633-90562676	Appx. 497-501
E-2	Better Business Bureau Customer Complaints re: Kiwi.com available at https://www.bbb.org/us/fl/miami/profile/travel-agency/kiwicom-inc-0633-90562676/complaints	Appx. 502-532
E-3	The Guardian Article entitled “In the year of Covid, the awards for worst customer service go to...” available at https://www.theguardian.com/money/2020/dec/27/in-the-year-of-covid-the-awards-for-worst-customer-service-go-to	Appx. 533-538
E-4	Trip Advisor Forum entitled “WARNING: Don't buy travels or air tickets from KIWI.COM” available at https://www.tripadvisor.in/ShowTopic-g1-i10702-k10065992-WARNING_Don_t_buy_travels_or_air_tickets_from_KIWI_CO_M-Air_Travel.html	Appx. 539-545
E-5	Trip Advisor Forum entitled “Warning: Kiwi.com is a SCAM” available at https://www.tripadvisor.in/ShowTopic-g1-i10702-k11349129-Warning_Kiwi_com_is_a_SCAM-Air_Travel.html	Appx. 546-551
E-6	Facebook Forum entitled “Kiwi.com - victims of the scam Kiwi” available at https://www.facebook.com/groups/254374211743198/about	Appx. 552-555
E-7	Wall Street Journal, “The Best and Worst U.S. Airlines of 2020,” available at https://www.wsj.com/articles/the-best-and-worst-u-s-airlines-of-2020-11611756016	Appx. 556-567
F	Reyes Declaration	Appx. 568-571

Respectfully submitted,

By: /s/ Michael C. Wilson

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**ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record by ECF on February 24, 2021.

/s/ Michael C. Wilson

Michael C. Wilson

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